

REMARKS

In response to the Office Action mailed April 22, 2004, Applicants amend their application and request reconsideration. No claims are added or cancelled so that claims 1-14 remain pending.

The Examiner requested that a prior art legend be added to Figures 7-9 and substitute drawing sheets are included as part of this Amendment.

The invention concerns a method and apparatus for receiving and decoding information that is typically employed in reproduction of audio and video. In the course of processing this data by decoding the data, attributes of the data must be determined so that appropriate processing can occur in the course of a digital-to-analog conversion of the data for its reproduction. These attributes can change dynamically leading to difficulties in processing the data when, as in the prior art, the attributes are carried along with respective decoded data.

In the method and apparatus according to the invention, the coded data is received and decoded. Then, as the decoding of sample data occurs, various pluralities of sample data are assembled, i.e., grouped, into respective blocks. Control information is added to each of the blocks, rather than to each of the sample data. The blocks may be temporarily stored in the course of signal processing because of the necessity of synchronizing video and audio data. After the storage of the blocks, the sample data is output based upon, i.e., with reference to, the control information for the respective block. By maintaining that control information, i.e., attributes of the sample data within the group, in a single unit pertaining to an entire group, the quantity of data transmitted within the apparatus and the method is substantially reduced, improving the data rate of the processing.

In the specifically illustrated embodiment of the invention, a CPU 13 functions as a decoding unit that not only decodes sample data that is received but also groups respective pluralities of the sample data into blocks. The CPU may separate the data into video and audio data streams. The CPU 13 also adds the control information to the respective blocks that are assembled from the pluralities of sample data, with the control information containing attributes with respect to the sample data contained within a particular block. In the illustrated embodiment, an SDRAM 16 and an SDRAM interface section 18 function as a storage unit for temporarily storing the blocks that include the control information. The stored blocks are retrieved and reproduced through an audio converting section 17 which provides an output. This conversion occurs in conjunction

with the attributes of the sample data, according to a particular block that is retrieved from storage, based on the control information

Claims 1-3, 5, 6, and 8-14 were rejected allegedly pursuant to 35 USC 102(e) as anticipated by Uramoto (U.S. Patent 6,243,032). It is believed the Examiner did not intend to rely upon 35 USC 102(e), but upon 35 USC 102(a). Uramoto issued as a patent before the filing of the present U.S. patent application. Since Applicants have not perfected the foreign priority date of the patent application at the present time, 35 USC 102(e) is inapplicable. The Office Action also includes an extensive discussion with regard to references claiming priority through the PCT, a situation that does not exist here. In any event, it is assumed that the rejection was made pursuant to 35 USC 102(a). That rejection is respectfully traversed.

There are two independent claims pending in this patent application. Claim 1 is directed to the method of audio decoding whereas claim 2 is directed to an apparatus for decoding audio data. Because of the similarity of the claims, the claims are discussed together. In this Amendment, both of those independent claims are amended for clarity without any substantive change. Many dependent claims are given added punctuation to avoid any misinterpretation. The amended claims explain clearly, as described in the patent application, for example, at page 8, lines 8-12, the grouping into blocks of respective pluralities of sample data and the addition to each block of respective control information containing attributes for the plurality of sample data included in a particular block. This arrangement represents an improvement over Uramoto, the second inventor of which is the inventor of the present patent application.

In Uramoto, a system of carrying forward attributes of decoded sample data is employed. That system is significantly different from the invention. In that arrangement, tag data is attached to each of the elements within each sample data. Thus, the tag data extends the length of each element of the sample data. As illustrated in Figure 9 of the present application, which is taken from Uramoto, the tag data may represent eight bits of data attached to PCM audio data 24 bits in length. Thus, when the attributes attributable to particular audio data change dynamically, the respective tag data within a sample within a frame must be altered. By comparison, because control information in the invention appears as an added part of a block and pertains to all of the sample data within a block, dynamic changes in attributes are more easily accommodated. Moreover, the total length of a frame according to the invention is shortened because each element of the sample data does not carry separate tag data. The separate tag data of the prior art requires not only significantly more data transmission capacity than the invention, but

also requires more memory for temporarily storing the sample data because the length of each frame is extended by the tag data.

To anticipate a claim, a prior art reference must disclose every element of the claimed invention. That stringent test is not met in the present situation because each of the elements of claims 1 and 2, and therefore of claims 3-14, is not disclosed in Uramoto. The addition of tag data to each element of sample data in Uramoto is not the same as grouping sample data into blocks according to the claimed invention and attaching to each block respective control information containing attributes, attributes that are contained in the tag data of Uramoto. Therefore, the rejection of claims 1-3, 5, 6, and 8-14 is erroneous and, upon reconsideration, should be withdrawn.

Claims 1, 4, and 7 were rejected as anticipated by Applicant's "submitted" prior art. The Examiner made reference in this rejection to various paragraphs by paragraph number. The present patent application does not include paragraph numbers. Thus, it appears that the Examiner is relying upon the corresponding published patent application in this rejection. With that understanding, the Examiner is apparently relying upon the prior art described in the patent application rather than separately "submitted" prior art. On the other hand, the prior art described in the patent application to which the Examiner makes reference is the Japanese Published Application corresponding to Uramoto as clearly described by the inventor. It is uncertain, therefore, how the rejection of claims 1, 4, and 7 based upon the prior art described in the patent application could possibly differ from the rejection based upon Uramoto.

Further, the rejection of claims 1, 4, and 7 as anticipated by the prior art described in the patent application is illogical and clearly legally erroneous as to claims 4 and 7. Claims 4 and 7 are dependent claims that depend from claim 2, not from claim 1. It is not legally possible to reject a dependent claim as anticipated without rejecting its parent claim as anticipated. Therefore, it appears that the intended rejection may have been of claims 2, 4, and 7. Yet, the Office Action is quite definite in referring to a method in the rejection of claim 1 and referring to apparatus elements in rejecting claims 4 and 7.

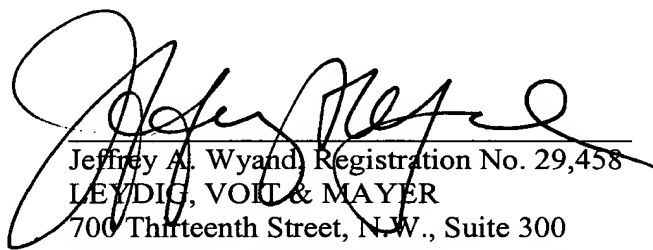
The rejection is respectfully traversed as to all three claims but is only responded to with regard to claim 1 because it is apparent that the rejection of claims 4 and 7 cannot be legally correct. If the Examiner intends to make a clear rejection with regard to those claims, claims 4 and 7, since there was no other basis for rejecting those claims in the Office Action, then any new rejection of claims 4 and 7 cannot properly be a final rejection.

In re Appln. of TETSUYA HARA
Application No. 09/931,855

With regard to claim 1, since the prior art described in the patent application and referred to by the Examiner in the rejection is identical to Uramoto, the rejection is traversed. The rejection is erroneous for the reasons already provided above with regard to the rejection of claim 1. Those reasons are incorporated here by reference without repetition.

Upon reconsideration, the rejection should be withdrawn as to all claims and all of claims 1-14 allowed.

Respectfully submitted,



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